

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Establishment – Work charged Establishment – Rural Water Supply and Sanitation – Payment of minimum wages to Sri P Mohan and 17 Other N.M.Rs appointed prior to 25.11.1993 and not eligible for regularization of services in terms of G.O.Ms.No.212, F&P dt.22.4.1994 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT [ESTT.II-A] DEPARTMENT

G.O.Rt.No. 594

Dated: 22 .04.2014.

Read the following:

1. Orders of Hon'ble APAT in O.A. No. 11768/2009 dt. 30.3.2012
2. From the Engineer-in-Chief, RWS & S Dept., Letter No. SOII (VI)/RWS&S/3029/2012, dt. 16.12.2012 & 19.7.2013.
3. From the Engineer-in-Chief, RWS & S Dept., Letter No. WCE(6)/RWS&S/3029/2012, dt. 6.11.2013 and 10.1.2014.

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ORDER:-

Sri P.Mohan and 17 other Technical and Non-technical NMRs, Medak Dist., filed O.A. No. 11768/2009 with a prayer for forwarding their names to Government for sanction of minimum time scale of pay.

2. In the reference 1st read above, the Hon'ble APAT has made the following order in O.A. No. 11768/2009 dt. 30.3.2012 :

"..... the O.A. is allowed with a direction to the respondents 3 to 5 to refer the names of the applicants also to respondents 1 to 2 for approval of minimum time scale of pay along with other NMRs possessing technical and non-technical qualifications, and who were appointed prior to 25.11.1993 and have not completed five years of service as on 25.11.1993 within a period of two months from the date of receipt of a copy of this order and the respondents 1 and 2 shall pass orders thereon within a period of one month from the date of receipt of proposal from the respondents 3 to 5".

3. In the references 2nd and 3rd read above, the ENC, RWS has reported that Sri P. Mohan and (17) other NMR's are working in RWS&S Sub-Divn., Zaheerabad and RWS&S Sub- Divn., Narayankhed, Medak Dist. Of which 15 NMRs are Non-Technical and 3 NMRs are with Technical qualification. The A.P. Work Charged Employees State Union represented by its working President raised a dispute for rectification of date of joining of 19 NMRs in I.D. No. 10/2008 Industrial Tribunal at Hyderabad (out of 19 NMRs one NMR Sri Gopal expired on 19.11.2002). The Industrial Tribunal had issued an award on 14.2.2011 that the demand of the A.P. Work Charged Employees State Union in demanding rectification of date of joining of Sri P.Mohan and other NMRs is justified and the same was published vide G.O.Rt.No. 636 Labour Employment Training and Factories (LAB.I) Dept., dt. 7.4.2011. As the wages to the above NMRs are being paid as per Musters Rolls as per the SSR rate, the ENC, RWS has submitted the time scale proposals sent by S.E., (RWS&S) Sanga Reddy, Medak Dist., in favour of Sri P.Mohan and (17) other NMRs for approval of time scale in terms of the Tribunal directions in O.A. No. 11768/2009. The ENC, RWS, Hyderabad has, therefore, requested the Government to issue necessary orders on allowing the minimum time scale to the 18 NMRs. (referred to above & covered by the OA No. 11768/2009).

[P.T.O.]

4. After careful examination of the proposals submitted by the ENC RWS&S and the Tribunal directions 30.03.2012 in O.A. No. 11768/2009, Government hereby accord permission to the ENC, RWS, Hyderabad for payment of "minimum wages only to the applicants in the said O.A. viz., Sri P.Mohan and 17 other NMRs, Medak District as per their eligibility and qualifications [not any other allowances as per the judgement of Hon'ble Supreme Court of India in Secretary, State of Karnataka Vs. Umadevi (2006)] from prospective date i.e., date of issue of orders, without any other benefits, and it does not confer any right to the NMRs for grant of increments or other benefits".

5. The Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad shall take necessary action in the matter.

6. This order issues with the concurrence of Finance (P.C.III) Department vide their U.O.No. 8471-A/103/A1/PC.III/2014, dt. 22.4.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIKAS RAJ
SECRETARY TO GOVERNMENT(RWS)

To
The Engineer-in-Chief, Rural Water Supply and Sanitation,
Erramanzil, Hyderabad.

Copy to:-

The Director of Treasuries & Accounts, Hyderabad.

The District Treasury Officer, Medak District.

The Accountant General A.P., Hyderabad.

The Finance [PC.III] Department.

The Finance [Expr. PR&RD] Department.

S.F/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER